

**AGENDA MEMO**

**CITY COUNCIL MEETING DATE: SEPTEMBER 20, 2006**

**DEPARTMENT: PLANNING AND DEVELOPMENT**

**ITEM DESCRIPTION: ABEYANCE - SDR-13796 - APPLICANT/OWNER: VITALY SCHERBO**

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***THIS ITEM WAS HELD IN ABEYANCE FROM THE SEPTEMBER 6, 2006 CITY COUNCIL MEETING AT THE REQUEST OF THE APPLICANT.***

**\*\* CONDITIONS \*\***

The Planning Commission (4-2/gt/se-1/rt vote) and staff recommend DENIAL.

**Planning and Development**

1. Approval of and conformance to the Conditions of Approval for a Variance (VAR-14768) shall be required.
2. This approval shall be void two years from the date of final approval, unless a building permit has been issued for the principal building on the site. An Extension of Time may be filed for consideration by the City of Las Vegas.
3. All development shall be in conformance with the site plan, landscape plan, and building elevations, date stamped 05/24/06, except as amended by conditions herein.
4. A revised site plan shall be submitted to and approved by the Planning and Development Department, prior to the time application is made for a building permit, to reflect the changes herein.
5. A technical landscape plan, signed and sealed by a Registered Architect, Landscape Architect, Residential Designer or Civil Engineer, must be submitted prior to or at the same time application is made for a building permit. A permanent underground sprinkler system is required, and shall be permanently maintained in a satisfactory manner; the landscape plan shall include irrigation specifications. The technical landscape plan shall include the following changes from the conceptual landscape plan: size, number and type of landscape materials.
6. Pre-planting and post-planting landscape inspections are required to ensure the appropriate plant material, location, size of planters, and landscape plans are being utilized. The Planning and Development Department must be contacted to schedule an inspection prior to the start of the landscape installation and after the landscape installation is completed. A certificate of occupancy will not be issued or the final inspection will not be approved until the landscape inspections have been completed.
7. Reflective glazing at the pedestrian level is prohibited. Glazing above the pedestrian level shall be limited to a maximum reflectance rating of 22% (as defined by the National Institute of Standards and Technology).



8. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets.
9. All utility boxes exceeding 27 cubic feet in size shall meet the standards of LVMC Title 19.12.040.
10. Parking lot lighting standards shall be no more than 30 feet in height and shall utilize downward-directed lights with full cut-off luminaires. Lighting on the exterior of buildings shall be shielded and shall be downward-directed. Non-residential property lighting shall be directed away from residential property or screened, and shall not create fugitive lighting on adjacent properties.
11. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.
12. All City Code requirements and design standards of all City Departments must be satisfied, except as modified herein.

**Public Works**

13. Remove all substandard public street improvements, if any, adjacent to this site and replace with new improvements meeting current City Standards concurrent with on-site development activities.
14. Meet with the Fire Protection Engineering Section of the Department of Fire Services to discuss fire requirements for the proposed use of this facility.
15. Site development to comply with all applicable conditions of approval for Z-11-98 and all other applicable site-related actions.

**\*\* STAFF REPORT \*\***

**APPLICATION REQUEST**

This application is for a proposed 10,542 square foot, two story addition to an existing gymnastic school on 1.39 acres at 3250 North Bronco Street.

**EXECUTIVE SUMMARY**

This is a proposed 10,542 square foot addition to an existing 12,000 square foot commercial building currently utilized as a gymnastics facility. The proposed addition is located at the rear of the existing building and is elevated eight feet over the surface parking lot as not to take the existing parking spaces away. The total building height of the addition is 35 feet, 6 inches. A total of 54 parking spaces are provided on the site where 113 are required. The applicant does not propose additional parking to accommodate the increase in building square footage; therefore denial is recommended.

**BACKGROUND INFORMATION**

***A) Related Actions***

- 04/27/98      The City Council approved a request for Rezoning (Z-11-98) from U (Undeveloped) to C-1 (Limited Commercial), Proposed Use: 12,000 square foot gymnastics facility. Staff and Planning Commission recommended approval.
- 08/10/06      The Planning Commission recommended denial of companion item VAR-14768 concurrently with this application.
- 08/10/06      The Planning Commission voted 4-2/gt/se-1/rt to recommend DENIAL (PC Agenda Item #57/eb).

***B) Pre-Application Meeting***

- 05/10/06      A pre-application meeting was held to discuss submittal requirements for a Site Development Plan Review.

***C) Neighborhood Meetings***

A neighborhood meeting is not required as part of this application request, nor was one held.

**DETAILS OF APPLICATION REQUEST**

***A) Site Area***

Net Acres:                      1.17 Acres

**B) Existing Land Use**

Subject Property: Gymnastics School  
North: Single Family Residence  
South: Commercial/Office  
East: Office/ Self-Storage  
West: Vacant

**C) Planned Land Use**

Subject Property: SC (Service Commercial)  
North: RE (Clark County – Rural Estates)  
South: SC (Service Commercial)  
East: SC (Service Commercial)  
West: RE (Clark County – Rural Estates)

**D) Existing Zoning**

Subject Property: C-1 (Limited Commercial)  
North: Clark County  
South: C-1 (Limited Commercial)  
East: C-1 (Limited Commercial)  
West: Clark County

**E) General Plan Compliance**

The site is designated as SC (Service Commercial) on the Southwest Sector Plan of the General Plan. The current zoning of C-1 (Limited Commercial) is consistent with the SC land use designation.

<b><i>SPECIAL DISTRICTS/ZONES</i></b>	<b>Yes</b>	<b>No</b>
<b>Special Area Plan</b>		N
<b>Special Overlay District</b>	Y	
Airport Overlay District	Y	
<b>Trails</b>		N
<b>Rural Preservation Overlay District</b>	Y	
<b>Development Impact Notification Assessment</b>		N
<b>Project of Regional Significance</b>		N

***Airport Overlay District***

The subject property is located in the North Las Vegas Airport Overlay District and has a height restriction of 105 feet. This project does not encroach into the height restriction.

***Rural Preservation Overlay District***

The subject property is located along the Rural Preservation Neighborhood 330' street buffer area.

## PROJECT DESCRIPTION

The site plan with this application indicates a proposed 10,542 square foot addition to an existing 12,000 square foot commercial building currently utilized as a gymnastics facility. The proposed addition is located at the rear of the existing building and is elevated eight feet over the surface parking lot as not to take the existing parking spaces away. The total building elevation of the proposed addition is 35'6". The building materials will match the light tan stucco and pre-finished metal on the existing portion of the building.

A total of 54 parking spaces are provided on the site where 113 are required. The applicant does not propose additional parking to accommodate the increase in building square footage. A Variance application (VAR-14768) for parking has been submitted and will be heard in connection with this Site Development Review.

## ANALYSIS

### A) *Zoning Code Compliance*

#### A1) Development Standards

Pursuant to Title 19.08, the following Development Standards apply to the subject proposal:

<b>Standards</b>	<b>Required</b>	<b>Requested</b>	<b>Compliance</b>
Min. Lot Width	100 Feet	122 Feet	Y
Min. Setbacks			
• Front	20 Feet	75 Feet	Y
• Side	10 Feet	22 Feet	Y
• Corner	15 Feet	20 Feet	Y
• Rear	20 Feet	68 Feet	Y
Max. Lot Coverage	50 %	37%	Y
Max. Building Height	NA	36 Feet	Y
Trash Enclosure	50 Feet from residentially zoned property	85 Feet from residentially zoned property	Y

The proposed addition meets the Development Standards of Title 19.08.

#### A2) Parking and Traffic Standards

Pursuant to Title 19.10, the following Parking Standards apply to the subject proposal:

Uses	GFA	Ratio	Required		Provided	
			Parking		Parking	
			Regular	Handicap	Regular	Handicap
Community Recreational Facility, Country Club	22,542 SF.	1 space/ 200 square feet GFA	113 Spaces	5 of the total required spaces	54 Spaces	3 of the total provided spaces

Due to the proposed addition of gross floor area of the existing gymnastics facility and no proposed addition to the parking area, a Variance for parking is needed. The subject deviation is 52%. The addition of two handicapped parking spaces is required and will be added as a condition of approval to the accompanying Variance for parking (VAR-14768)

The Department of Public works states that they support present City Code parking requirements; therefore cannot support the Variance request for property located at 3250 Bronco Street to allow 54 parking spaces where 113 spaces are the minimum allowed in conjunction with an existing gymnastics school.

#### A3) Landscape and Open Space Standards

Pursuant to Title 19.12, the following Landscape Standards apply to the subject proposal:

Standards	Required		Provided
	Ratio	Trees	
Buffer:			
• Min. Trees	1 Tree/20 Linear Feet	52 Trees	69 Trees
• Min. Zone Width	8 Feet		8 feet

The landscaping on the subject site has been previously approved and installed in accordance with the original Site Development Plan Review (Z-11-98). According to current Title 19.12 Landscape Standards, the front parking area is deficient one parking lot landscape finger. This does not require a waiver of landscape standards as it meets the standard approved in Z-11-98.

#### B) General Analysis and Discussion

- Zoning

The site is currently zoned C-1 (Limited Commercial) on 1.17 acres [SC (Service Commercial)]. The existing gymnastics facility and the proposed addition is permissible in a C-1 (Limited Commercial) zoning category.

- Site Plan

The site is bound by single family homes on the north side of the property, a mini-storage facility to the east, office buildings to the south and vacant land to the west. The proposed addition has a building elevation of 35'6". The addition is elevated eight feet to permit parking underneath the new floor area. Currently the building is 12,000 square feet and with the proposed addition, the building will be 22,540 square feet in size. The applicant is not proposing the addition of any parking spaces and is required to add two additional handicapped parking spaces.

- Landscape Plan

The landscaping on the subject site has been previously approved and installed in accordance with the original Site Development Plan Review (Z-11-98).

- Elevation

The proposed two story addition is 35 feet, 6 inches in height. The addition is proposed to match the light tan stucco and pre-finished metal existing building and will have a white metal roof.

- Floor Plan

The floor plan depicts a second gymnastic working area with a fitness room, locker area, floor exercise and apparatus area.

## FINDINGS

In order to approve a Site Development Plan application, per Title 19.18.050 the Planning Commission and/or City Council must affirm the following:

1. **“The proposed development is compatible with adjacent development and development in the area;”**

The land use is appropriate for the area; however, the development proposes too few parking spaces to support the use and negative impacts could affect adjacent developments.

2. **“The proposed development is consistent with the General Plan, Title 19, the Design Standards Manual, the Landscape, Wall and Buffer Standards, and other duly-adopted City Plans, policies and Standards;”**

The proposed development is consistent with the SC (Service Commercial) General Plan Land Use Designation.



**3. “Site access and circulation do not negatively impact adjacent roadways or neighborhood traffic;”**

Primary site ingress and egress is proposed from North Bronco Street, a 50-foot Right-of-Way. Traffic from the proposed development entering onto North Bronco Street will increase, but this should not have a significant negative impact on the neighborhood as a whole.

**4. “Building and landscape materials are appropriate for the areas and for the City;”**

Building materials are typical of commercial developments in the Las Vegas Valley. Landscaping materials are drought-tolerant and compatible with existing development.

**5. “Building elevations, design characteristics and other architectural and aesthetic features are not unsightly, undesirable or obnoxious in appearance; create an orderly and aesthetically pleasing environment; and are harmonious and compatible with development in the area;”**

Building elevations and aesthetic features are harmonious and compatible with development in the area.

**6. “Appropriate measures are taken to secure and protect the public health, safety and general welfare.”**

The development will be subject to inspections, and appropriate measures will be taken to protect the public health, safety and general welfare.

**NEIGHBORHOOD ASSOCIATIONS NOTIFIED**

7

**ASSEMBLY DISTRICT** 1

**SENATE DISTRICT** 6

**NOTICES MAILED** 159 by Planning Department

**APPROVALS** 0

**PROTESTS** 0